

04-R-1697

Entered - 07/29/03 - sb  
CL03L0620 & 04L0208 - DIANNE C. MITCHELL

CLAIM OF: **MOLLY READ WOO**  
**1022 Canter Road, NE**  
**Atlanta, Georgia 30324**

For damages alleged to have been sustained as a result of  
the construction of the Indian Creek Sewer Tunnel between  
December, 2002 to July, 2003 at 1022 Canter Road, NE.

THIS ADVERSED REPORT IS APPROVED

BY:

  
**JERRY L. DELOACH**  
**DEPUTY CITY ATTORNEY**

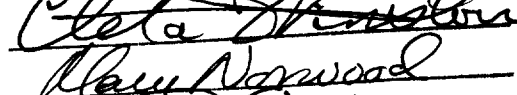
## ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

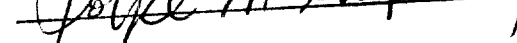
DATE: 9/28/04

CHAIR: 

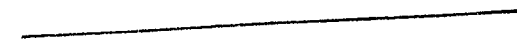






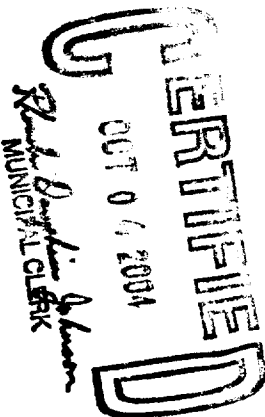
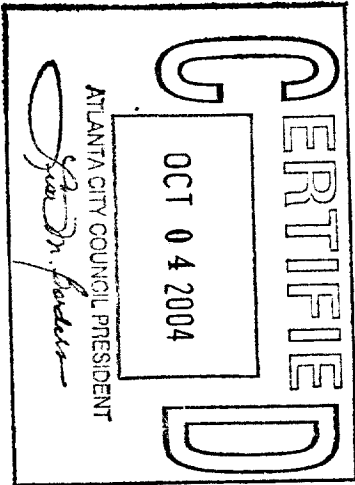






ADVERSED BY  
CITY COUNCIL

OCT 04 2004





**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK**

October 6, 2004

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30303  
(404) 330-6033  
FAX (404) 658-6273

Molly Read Woo  
1022 Canter Road, NE  
Atlanta, GA 30324

04-R-1697

Dear Ms. Woo:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on October 04, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0620 & 04L0208

Date: September 7, 2004

Claimant /Victim MOLLY READ WOO

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 1022 Canter Road, NE, Atlanta, Georgia 30324

Subrogation: \_\_\_\_\_ Claim for Property damage \$ Not Stated Bodily Injury \$ \_\_\_\_\_

Date of Notice: 07/28/03 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ X Ante Litem (6 Mo.) \_\_\_\_\_ X

Date of Occurrence 12/02 - 07/03 Place: 1022 Canter Road, NE

Department Watershed Management Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges her property has been damaged during the construction of the Indian Creek Sewer Tunnel. The claim has been forwarded to the contractor for handling and resolution.

### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ X Ministerial \_\_\_\_\_

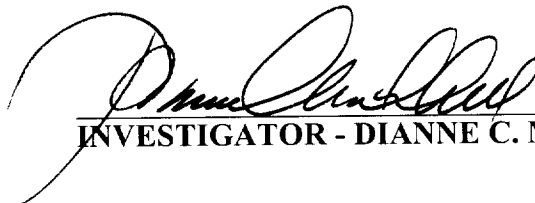
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

### RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager: [Signature] Concur/date 09/09/04

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 6083  
10/04/04  
1:58 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 6-20 EXCEPT 04-O-1587 1588  
1589 1591 1592 1252 1254  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		10-04-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1418 2. 04-O-1441 3. 04-O-1565 4. 04-O-1567 5. 04-O-0438 6. 04-O-1507 7. 04-O-1559 8. 04-O-1572 9. 04-O-1582 10. 04-O-1728 11. 04-O-1732 12. 04-R-1655 13. 04-R-1421 14. 04-R-1668 15. 04-R-1719 16. 04-R-1487 17. 04-R-1624 18. 04-R-1673 19. 04-R-1674 20. 04-R-1675 21. 04-R-1491 22. 04-R-1659 23. 04-R-1660 24. 04-R-1661 25. 04-R-1662 26. 04-R-1663 27. 04-R-1664 28. 04-R-1665 29. 04-R-1613 30. 04-R-1676 31. 04-R-1677 32. 04-R-1678 33. 04-R-1679 34. 04-R-1680 35. 04-R-1681 36. 04-R-1682 37. 04-R-1718	38. 04-R-1683 39. 04-R-1684 40. 04-R-1685 41. 04-R-1686 42. 04-R-1687 43. 04-R-1688 44. 04-R-1689 45. 04-R-1690 46. 04-R-1691 47. 04-R-1692 48. 04-R-1693 49. 04-R-1694 50. 04-R-1695 51. 04-R-1696 52. 04-R-1697 53. 04-R-1698 54. 04-R-1699 55. 04-R-1700 56. 04-R-1701 57. 04-R-1702 58. 04-R-1703 59. 04-R-1704	60. 04-R-1705 61. 04-R-1706 62. 04-R-1707 63. 04-R-1708 64. 04-R-1709 65. 04-R-1710 66. 04-R-1711 67. 04-R-1712 68. 04-R-1713 69. 04-R-1714 70. 04-R-1715 71. 04-R-1716 72. 04-R-1717